

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

DAVID McCULLOUGH on behalf
of himself and all others similarly situated,

Plaintiff,

v.

**INSIGHT FOUNDATION OF
HILLSIDE, INSIGHT FOUNDATION
OF TRUMBULL, AND FIRDAUS
FOUNDATION,**

Defendants.

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Case No. 4:25-cv-00644-BYP

JUDGE BENITA Y. PEARSON

AFFIDAVIT OF R. SEAN GRAYSON IN SUPPORT OF MOTION TO INTERVENE

Now comes R. Sean Grayson and declares the following is true and correct:

1. I currently hold elected union office as President of Ohio Council 8, American Federation of State, County and Municipal Employees, AFL-CIO (“Ohio Council 8”).
2. Ohio Council 8 is a labor organization that represents approximately thirty-one thousand (31,000) employees in over four hundred (400) bargaining units across the State of Ohio and in West Virginia.
3. Ohio Council 8 and its affiliated local unions Local 2028, American Federation of State, County and Municipal Employees, AFL-CIO; Local 2288, American Federation of State, County and Municipal Employees, AFL-CIO; and United Nurses of America Local 2026, American Federation of State, County and Municipal Employees, AFL-CIO (collectively referred to as “AFSCME”) represent three bargaining units with a total of approximately

four hundred eighty-five (485) employees of Defendants Insight Foundation of Hillside, Insight Foundation of Trumbull, and Firdaus Foundation (“Insight”).

4. Ohio Council 8 and its affiliated local unions, Local 2028, Local 2288, and United Nurses of America Local 2026 have represented bargaining unit employees for decades. Over the course of Ohio Council 8 and its affiliated locals’ representation of employees, ownership and management of the Insight facilities have changed hands at least twice as a result of bankruptcy proceedings.
5. At all times relevant to this action, Ohio Council 8 and its affiliated local unions, Local 2028, Local 2288, and United Nurses of America Local 2026 have been parties to three (3) collective bargaining agreements (“CBAs”) that set forth the wages, hours, and terms and conditions of employment for each of the three (3) respective AFSCME bargaining unit employees. Defendants Insight have adopted each CBA.
6. In May 2024, Steward Health Care owned and operated the facilities that are now owned and operated by Defendants Insight. On or around May 6, 2024, Steward Health Care filed for bankruptcy in the United States Bankruptcy Court for the Southern District of Texas. *In re Steward Healthcare Sys. LLC*, U.S. Bankruptcy Ct. S.D. Texas Case No. 24-90213.
7. On or around October 9, 2024, Defendants Insight acquired Steward and took over operations and personnel management of the healthcare facilities at 1350 East Market Street, Warren, Ohio 44482; 20 Ohltown Road, Austintown, Ohio 44515, and 2580 Elm Road, Cortland, Ohio 44410.
8. After Insight’s acquisition of Steward, Insight adopted the terms of the three CBAs that are in effect for the employees at all of Insight’s facilities. At all times since Insight’s acquisition of Steward, Insight has recognized Ohio Council 8 and its affiliated local unions

as the exclusive representatives of the three bargaining units of employees described in this Affidavit.

9. Beginning on or around March 9, 2025, employees that are members of the AFSCME bargaining units worked hours for which they were not paid promptly or in full.
10. Since on or around March 27, 2025, employees that are members of the AFSCME bargaining units have been laid off.
11. On March 28, 2025, at approximately 3:46 p.m. E.D.T., Insight emailed notice to Ohio Council 8 that all bargaining unit employees represented by Ohio Council 8, United Nurses of America Local 2026, and Local 2804 and employed at Insight's facilities at 1350 East Market Street, Warren, Ohio 44482; 20 Ohltown Road, Austintown, Ohio 44515, and 2580 Elm Road, Cortland, Ohio 44410 (approximately four hundred twenty-seven [427] employees) were being laid off due to a "diversion of operations" at the Insight facilities.
12. On March 28, 2025, at approximately 4:20 p.m. E.D.T., Insight emailed notice to Ohio Council 8 that all bargaining unit employees represented by Ohio Council 8 and Local 2288 and employed at Insight's facility at 8747 Squires Lane NE, Warren, Ohio 44484 (an additional fifty-eight [58] employees) were being laid off due to a "diversion of operations" at the Insight facility.
13. The March 28, 2025 notices that were emailed from Insight to Ohio Council 8 stated that employees would only have continued coverage for hospitalization and life insurance to the end of March 2025.
14. Ohio Council 8 and its affiliated locals, through their elected and staff representatives, continue to meet with representatives with Insight in an effort to obtain whatever information they can to determine whether bargaining unit employees will receive full pay

for hours worked, healthcare and other fringe benefits, and the prospect of reemployment with Insight.

15. The Plaintiff bringing this action, David McCullough, is not a member of any of the bargaining units represented by Ohio Council 8 or its affiliated local unions, United Nurses of America Local 2026, Local 2288, or Local 2804. As such, McCullough's wages, hours, and other terms and conditions of employment are not established by any of the three CBAs that cover AFSCME bargaining unit employees.
16. On April 2, 2025, Ohio Council 8 and its affiliated local unions, United Nurses of America Local 2026, Local 2804, and Local 2288 learned that this Class Action Complaint had been filed.
17. Ohio Council 8 and its affiliated local unions, United Nurses of America Local 2026, Local 2804, and Local 2288 seek to intervene in this action to ensure that the members of the AFSCME bargaining units are fully represented, AFSCME bargaining unit employees' collective bargaining rights are not impaired, and that the AFSCME unions' rights as labor organizations and the exclusive representatives of AFSCME bargaining unit employees are represented.

Further affiant sayeth naught.

Signed:



R. SEAN GRAYSON
President

Ohio Council 8, AFSCME, AFL-CIO
6800 North High Street
Worthington, Ohio 43085

STATE OF OHIO :
 :
COUNTY OF FRANKLIN : SS

Sworn to and subscribed before me this 4th day of April, 2025.

Michelle R. Evans
Signature of Notary Public

My commission expires _____



Michelle R. Evans, Attorney At Law
NOTARY PUBLIC - STATE OF OHIO
My commission has no expiration date
Sec. 147.03 R.C.